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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,136	12/01/2003	Michael Edward Ripps	1019-001	3520

36894 7590 10/31/2005

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EXAMINER

CHAKRABORTY, SUPRATIK

ART UNIT PAPER NUMBER

2672

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/726,136	RIPPS ET AL.	
	Examiner	Art Unit	
	Supratik Chakraborty	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/1/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-3,6-9,12-16,31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross (Patent No.: 6,416,325).

In regard to claim 1, Gross teaches about a computer generated family tree (col.1, lines 48-49) output comprising:

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(A) A multigenerational family tree (col. 1, lines 62-63) further comprising significant family dates, each date associated with a person included in the family tree (col. 4, lines 10-17).

Therefore, Gross teaches all of the limitations of claim 1, except for specifically mentioning the use of incrementally passing successive dates. However, Gross teaches that the family tree graph) is built automatically person by person with a selected delay in order to visualize the family as it evolves in time (col.3, lines 26-27).

It would have been obvious to one of ordinary skill in the art to utilize incrementally passing successive dates in Gross's system because Gross teaches the use of delays for each person (col.3, lines 26-27) and because the use of these successive dates would provide the user a convenient way to display the chronological history for that person.

In regard to claim 2, Gross teaches that the computer generated family tree output further comprises of a plurality of lifelines, each lifeline corresponding to a person included in the family tree (col. 2, lines 50-57).

In regard to claim 3, Gross further teaches that a marriage between two persons is denoted by merging a portion of their respective lifelines from a marriage beginning date to a marriage ending date (col.2, lines 43-49). Although the reference does not use the term 'merging a portion of their respective lifelines', the reference mentions the setting

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up of a family space by the user and the choice where the user can choose the number of generations he or she wishes to see.

In regard to claim 6, Gross further teach that the computer generated family tree output further comprises of equinox precession indicia displayed on the timeline (col. 4, lines 10-17). Gross teaches that any type of information could be displayed about a person object.

In regard to claim 7, Gross teaches that the displayed information associated with a specific person included in the family tree, the information further comprising significant dates associated with the specific person (col. 4, lines 10-17). A chronological timeline comprising gradations indicating a uniform incremental passage of successive dates on the timeline, wherein the significant dates are synchronized with corresponding successive dates on the timeline (col.3, lines 26-27).

In regard to claim 8, Gross teaches that the computer generated family tree output further comprises of a plurality of lifelines, each lifeline corresponding to a person included in the family tree (col.2, lines 51-57).

In regard to claim 9, Gross teaches that the marriage between two persons is denoted by merging a portion of their respective lifelines from a marriage beginning date to a marriage ending date (col.2, lines 43-49). Although the reference does not use the term

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'merging a portion of their respective lifelines', the reference mentions the setting up of a family space by the user and the choice where the user can choose the number of generations he or she wishes to see.

In regard to claim 12, Gross further teach that the computer generated family tree output further comprises of equinox precession indicia displayed on the timeline (col. 4, lines 10-17). Gross teaches that any type of information could be displayed about a person object.

In regard to claim 13, Gross teaches that a computer generated family tree output comprises of displayed data for persons included in the family tree, the displayed data further comprising graphical images of the persons (col. 4, lines 10-17).

In regard to claim 14, Gross further teaches that the computer generated family tree output wherein the graphical image of a person is displayed in contact with the person's lifeline (col.4, lines 10-17).

In regard to claim 15, Gross teaches that a chronological timeline further comprises of graphical images displayed at specific dates on the timeline, wherein the graphical images show significant events associated with the specific dates (col. 4, lines 10-17).

In regard to claim 16, Gross teaches that the computer generated family tree output comprises of an emigration indicia associated with a specific person on the family tree; and a chronological timeline synchronized with the family tree so that the emigration indicia location on the family tree corresponds with a specific date on the chronological timeline thereby revealing a date of emigration (col. 4, lines 10-17). Although the reference doesn't teach us about 'emigration indicia', it however teaches that any type of information could be displayed about a person object. Therefore it would have been obvious to one with ordinary skill in the art to have the emigration indicia displayed on family tree.

In regard to claim 31, Gross teaches a method for computer generation of a family tree output comprising the steps of: inputting data associated with a plurality of persons to be included in the family tree (col. 1, lines 62-63), inputting a plurality of graphical images, each image associated with a specific person to be included in the family tree; and electronically generating a family tree display based on the data and graphical images (col.2, lines 50-56).

In regard to claim 32, Gross teaches a method for computer generation of a family tree output comprising the steps of: electronically generating a chronological timeline comprising gradation dates indicating a uniform incremental passage of time; providing graphical images that correspond with specific gradation dates; associating

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predetermined graphical images with corresponding gradation dates; and displaying the timeline with the associated images (col. 3, lines 22-29).

Claims 4,5,10,11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gross (Patent No.: 6,416,325) as applied to claim 1 and 2 above, and further in view of Eaton (Pub. No.: 2004/0083226).

In regard to claim 4, the reference teaches all the limitations except that the computer generated family tree output further comprises of an unknown date indicia indicating a date on a lifeline that is unknown.

Eaton addresses the above limitation in (page 4, [0039]).

Therefore it would have been obvious to one of ordinary skill in the art to apply within the computer generated family tree as taught by Gross the unknown date indicia as taught by Eaton in order to indicate that no further genealogical information is currently available.

In regard to claim 5, Eaton teaches that:

[0041] When the server 202 receives a request from the client 208 for genealogical data, the database 204 is queried for the requested genealogical data and a group of nodes is created that corresponds to requested genealogical data, each of which corresponds to a particular person. The

Here the genealogical data can be same birth month and day.

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Therefore it would have been obvious to one ordinarily skilled in the art to combine the teaching of Eaton with that of Gross in order to have an visual indicator in the family tree indicating commonality between the birthdays of people.

In regard to claim 10, the combination of Eaton and Gross addresses all the limitations of the claim.

In regard to claim 11, the combination of Eaton and Gross teach us all the limitations.

Claims 17-21,24-27,30,33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross (Patent No.: 6,416,325) and further in view of Underwood et al (Patent No.: 6,697,825).

In regard to claim 17, Gross teaches all the limitations except that the two lifelines are displayed in drop-shadow form.

Underwood et al teach the above limitation in (col.24, lines 37-43).

Therefore it would have been obvious to one of ordinary skill in the art to apply within the family tree as taught by Gross the displayed lifeline in drop-shadow form as taught by Underwood et al for the lifeline text to be applied in an aesthetically appealing way within the image and also to give the feeling of spatial dimension.

In regard to claim 18, Gross further teach at least two lifelines are sibling lifelines (col.4, lines 46-47).

In regard to claim 19, the combination of Gross and Underwood et al. teach all the limitations. Gross teaches the generation of an electronic chronological timeline, the timeline encompassing a predetermined period of time (col.3, lines 22-29); Underwood et al mentions the inputting of data associated with persons to be included in the family tree (col.24, lines 37-38).

In regard to claim 20, Gross further teaches the step of electronically generating a plurality of lifelines, each lifeline corresponding to a person included in the family tree (col.2, lines 50-57).

In regard to claim 21, Gross teaches that the marriage between two persons is denoted by merging a portion of two lifelines to denote a marriage between two persons associated with the lifelines (col.2, lines 43-49). Although the reference does not use the term 'merging a portion of their respective lifelines', the reference mentions the setting up of a family space by the user and the choice where the user can choose the number of generations he or she wishes to see.

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In regard to claim 24, Gross further teach that the computer generated family tree output further comprises of equinox precession indicia displayed on the timeline (col. 4, lines 10-17). Gross teaches that any type of information could be displayed about a person object.

In regard to claim 25, the combination of Gross and Underwood et al. teach all the limitations.

In regard to claim 26, Gross further teaches the step of electronically generating a plurality of lifelines, each lifeline corresponding to a person included in the family tree (col.2, lines 50-57).

In regard to claim 27, Gross teaches that the marriage between two persons is denoted by merging a portion of two lifelines to denote a marriage between two persons associated with the lifelines (col.2, lines 43-49). Although the reference does not use the term 'merging a portion of their respective lifelines', the reference mentions the setting up of a family space by the user and the choice where the user can choose the number of generations he or she wishes to see.

In regard to claim 30, Gross further teach that the computer generated family tree output further comprises of equinox precession indicia displayed on the timeline (col. 4,

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lines 10-17). Gross teaches that any type of information could be displayed about a person object.

In regard to claim 33, The combination of Gross and Underwood et al. teaches a method for computer generation of a family tree output comprising the steps of: electronically generating a chronological timeline comprising gradation dates indicating a uniform incremental passage of time (Gross, col. 3, lines 22-29); inputting data on a plurality of persons to be included in the family tree, the data comprising emigration date data having a corresponding emigrated person and a corresponding gradation date on the timeline(Underwood et al, col. 24, lines 37-39); generating emigration indicia based on the emigration data; associating the emigration indicia with the corresponding emigrated person; and displaying the emigration indicia on the family tree in synchronicity with the corresponding gradation date on the timeline(Gross,col.4, lines 10-17).

In regard to claim 34, the combination of Gross and Underwood et al. teach us all the limitations. Gross teaches us the computer generation of the family tree in (col.1, lines 48-49).

Underwood et al teaches the inputting of data on at least two persons to be included in the family tree output; and displaying the lifelines in drop-shadow form (col. 24, lines 37-43).

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Gross teaches the generation of a lifeline for each person based on the input data (col.4, lines 10-17).

In regard to claim 35, Gross teaches that the persons can be siblings in (col. 4, lines 46-48).

Claims 22,23,28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross (Patent No.: 6,416,325) further in view of Underwood et al (Patent No.: 6,697,825) as applied to claims 17-20,24-27,30, and 33-35 above, and further in view of Eaton (Pub. No.: 2004/0083226).

In regard to claim 22, Gross teaches all the limitations except that the computer generated family tree output further comprises of an unknown date indicia indicating a date on a lifeline that is unknown.

Eaton addresses the above limitation in (page 4, [0039]).

Therefore it would have been obvious to one of ordinary skill in the art to apply within the computer generated family tree as taught by Gross the unknown date indicia as taught by Eaton in order to indicate that no further genealogical information is currently available.

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In regard to claim 23, Eaton teaches that:

[0041] When the server 202 receives a request from the client 208 for genealogical data, the database 204 is queried for the requested genealogical data and a group of nodes is created that corresponds to requested genealogical data, each of which corresponds to a particular person. The

Here the genealogical data can be same birth month and day.

Therefore it would have been obvious to one ordinarily skilled in the art to combine the teaching of Eaton with that of Gross in order to have an visual indicator in the family tree indicating commonality between the birthdays of people.

In regard to claim 28, Eaton addresses the above limitation in (page 4, [0039]).

In regard to claim 29, Eaton teaches that:

[0041] When the server 202 receives a request from the client 208 for genealogical data, the database 204 is queried for the requested genealogical data and a group of nodes is created that corresponds to requested genealogical data, each of which corresponds to a particular person. The

Here the genealogical data can be same birth month and day.

Therefore it would have been obvious to one ordinarily skilled in the art to combine the teaching of Eaton with that of Gross in order to have an visual indicator in the family tree indicating commonality between the birthdays of people.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Supratik Chakraborty whose telephone number is (703)

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272-7662. The examiner can normally be reached on Monday - Friday (7:30 am - 3:30 pm).

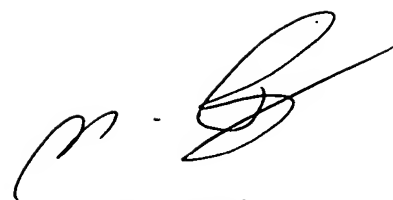
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SC

10/13/2005

A handwritten signature in black ink, consisting of a stylized 'M' followed by a large, loopy 'R'.

MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600